IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

Bail Appl..No. 7395 of 2006()

CRIME NO.1189/06 OF KOTTARAKKARA POLICE STATION

: PETITIONER/ACCUSED

---

1. N.SOMAN, S/O. NANU, AGED 57 YEARS,
VINOD BHAVAN, PUTHOOR MURI,
PUTHOOR VILLAGE, KOTTARAKKARA TALUK,
KOLLAM.

2. VINOD SOMAN, AGED 21 YEARS, S/O. SOMAN,
PUTHOOR VILLAGE, KOTTARAKKARA.

3. SANJAY SOMAN, AGED 17 YEARS, THE MINOR,
PUTHOOR VILLAGE, KOTTARAKKARA, REPRESENTED BY
HIS FATHER AND NATURAL GUARDIAN, MR. SOMAN,
VINOD BHAVAN, PUTHOOR VILLAGE, KOTTARAKKARA.

BY ADV. SRI.K.R.VINOD

RESPONDENTS:

STATE OF KERALA, REP. BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO. 7395 OF 2006

- - - - - - - - - ----------- - - - - -

DATED THIS THE 14TH DAY OF DECEMBER, 2006

O R D E R

Petitioners, three in number, who are father and two sons, seek anticipatory bail on the allegation that the Kottarakkara Police are at their heels at the instance of one Surendran who is the Rationing Inspector of that area.

2. Learned Public Prosecutor on instructions submitted that petitioners 2 and 3 have been deleted from the array of accused. If so, the apprehension of arrest and harassment entertained by petitioners 2 and 3 is unfounded. With regard to the first petitioner, the allegation against him is that he had misused a gas cylinder meant for domestic purpose and he obstructed the Rationing Inspector, a public servant from affixing notice issued by the District Collector.

3. Having regard to the nature of the allegations levelled against the 1st petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the 1st petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the 1st petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for

the like amount to the satisfaction of the said officer and subject to the following conditions:

1. 1st Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. 1st petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. 1st petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. 1st Petitioner shall not commit any offence while on bail.

5. 1st Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the 1st petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn